is not a bar. The maxim of "unclean hands" applies only when the wrongdoing has some association with the right on which the complainant depends. See 1 POMEROY, EQUITY JUR., 3 ed., § 399; 25 HARV. L. REV. 481. The furthest the courts have gone is to disqualify a complainant in case there is deceit associated with the trade name or mark. *Manhattan Medicine Co.* v. *Wood*, 108 U. S. 218; *Worden* v. *Cal. Fig Syrup Co*, 187 U. S. 516. The principal case arose in the federal courts. Now, being a foreign corporation, the defendant had the right to its name regardless of its Missouri business. And the federal courts conceive that the right of property in a trade name is incapable of being curtailed or limited territorially by statutes like that in the principal case. *U. S. Light & Heating Co. of Maine* v. *U. S. Light & Heating Co. of New York*, 181 Fed. 182. See *Consolidated Ice Co.* v. *Hygeia Co.*, 151 Fed. 10, 11. Even if the violation of the statute were by its terms to exclude corporations from state courts, the federal tribunals would still be left open to them, since the penal part of a statute does not apply to the federal courts. *New York Breweries Co.* v. *Johnson*, 171 Fed. 582. See *U. S. Light & Heating Co.* v. *U. S. Light & Heating Co.*, *supra*, 186.

WAR — CONFISCATION OF NEUTRAL SHIPS FOR CARRYING CONTRABAND CARGOES — CHANGE IN INTERNATIONAL LAW. — A Swedish vessel carrying a full cargo of conditional contraband to a German port was captured by a British man-of-war. There was no evidence that the owner of the ship knew of the character of the cargo. *Held*, that the ship is subject to condemnation. *The Hakan*, [1916] P. 266.

A Danish ship carrying a full cargo of conditional contraband between two neutral ports was captured by a British man-of-war. There was evidence that this carriage was part of a continuous voyage which was to end in German territory. There was a dispute as to whether the shipowner knew of the ultimate destination of the cargo. *Held*, that the ship is subject to condemnation. *The Maricaibo*, [1916] P. 266, 286.

For a discussion of these cases, see NOTES, p. 497.

WITNESSES — COMPETENCY IN GENERAL — EFFECT IN CRIMINAL TRIAL IN FEDERAL COURTS OF FORMER CONVICTION OF CRIME IN STATE COURTS. — In a criminal trial in a federal court in New York, a witness was offered, who at the age of eighteen had been convicted of forgery in a New York state court and had been given an indeterminate sentence at a reformatory. *Held*, that he was a competent witness. *Rosen* v. *United States*, 56 N. Y. L. J. 771 (C. C. A., 2nd Circ.).

The court rests its decision on a supposed distinction between reform and punishment. In criminal trials in the federal courts, the competency of witnesses is determined by the law of the state as it was at the time of the Judicature Act of 1789, or at the time the state was admitted to the Union. *United States* v. *Reid*, 12 How. (U. S.) 361; *Logan* v. *United States*, 144 U. S. 263; *Maxey* v. *United States*, 207 Fed. 327. In the absence of state decisions of that time, the common law controls, according to which conviction of forgery brings infamy. *Rex* v. *Davis*, 5 Mod. 75. *Cf. Poage* v. *State*, 3 Ohio St. 229. Therefore a subsequent substitution of reform for punishment is immaterial. Further, it is well settled that it is the infamous nature of the crime and not the character of the punishment which determines the qualification of a witness. *People* v. *Park*, 41 N. Y. 21; *The King* v. *Priddle*, 1 Leach C. C., 4 ed., 442. See *Bartholomew* v. *People*, 104 Ill. 601, 607. See also GREENLEAF, EVIDENCE, 15 ed., § 372, n. 1. However, the result might be supported on another ground. A witness is ordinarily disqualified only in the jurisdiction where he was convicted. *Commonwealth* v. *Green*, 17 Mass. 514; *Sims* v. *Sims*, 75 N. Y. 466. *Contra*, *State* v. *Candler*, 3 Hawks (N. C.) 393. See STORY, CONFLICT OF LAWS, 7 ed., § 92; 21 HARV. L. REV. 547. Since the state and federal courts

are the agents of different sovereigns, conviction in one would not disqualify a witness in the other. *Brown* v. *United States*, 233 Fed. 353. On account of present uncertainty it might be advisable to extend to criminal cases the federal statute which now provides that in civil cases the courts shall be governed by the law of the state in which the trial is held. See 34 STAT. AT L. 618; U. S. COMP. STAT. 1916, § 1464.

BOOK REVIEWS

A TREATISE ON THE AMERICAN AND ENGLISH WORKMEN'S COMPENSATION LAWS. By Arthur B. Honnold. Two volumes. Kansas City: Vernon Law Book Co. 1917.

The first volume of this treatise contains a comprehensive and well-arranged compendium of the decisions and opinions of the courts, industrial commissions, accident boards, attorneys-general, etc., construing the various workmen's compensation and compensation-insurance laws in the United States and Great Britain. To the legal profession and the legislator this part of the work will be invaluable, a large proportion of the decisions, etc., to be found therein being inaccessible in any except the largest libraries, and being even there difficult to find because unindexed in the common digests. The second volume contains a complete edition of the text of all such laws. It is regrettable that this part of the work could not have been omitted and its place partially supplied by references to the statutes, where appropriate, in the text of the first volume. Not only do some of the decisions cited in the first volume relate to earlier texts of statutes which in this compilation appear in amended forms (*e. g.*, McWeeny *v.* Standard Boiler Co., 210 Fed. Rep. 507, cited under § 204), but also in many of the states the legislatures are even now busily engaged in adding to the list of compensation statutes and amending existing statutes, with the consequence that within a few months this compilation will in all probability be out of date. And whatever value it would otherwise have for the time being has been largely sacrificed by the lack of an adequate index. In the index provided — to illustrate — reference is made under the heading "Diseases" to provisions in the statutes of Iowa, Kentucky, New York, Wisconsin, and Great Britain; but a cursory examination reveals special provisions relative to disease also in the statutes of Colorado, Indiana, Louisiana, Maryland, Nebraska, Pennsylvania, Vermont, and Wyoming.

The fact that many of the thirty-four systems of law covered by this treatise are in a state of evolution and rapidly changing has made time the essence of the author's task, with the consequence that in his haste to publish his material he has allowed many minor errors and inaccuracies to remain uncorrected in his text. For examples: In § 20, the New York Compensation Act is referred to as "elective only with the employer," whereas, in ordinary sense, that act is altogether compulsory. In § 103, De Voe *v.* N. Y. State Railways, 169 App. Div. 472, is cited in the course of a presentation of the distinction between hazardous and non-hazardous employments, whereas that case was decided on the ground that at the time of the accident the injured workman was not engaged in any employment whatsoever. In § 121, De Filippis *v.* Falkenburg, 170 App. Div. 153, is cited as deciding that an injury due to "horseplay" by a coemployee arises out of the employment, whereas the decision was to the contrary. In § 138, ptomaine poisoning and typhoid fever are mentioned as diseases "commonly known as occupational diseases," whereas commonly they are regarded as the very opposite of "occupational diseases," though under some circumstances they may be "accidents." And in a footnote to § 204 it is stated that the Ohio